



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 10
1200 Sixth Avenue
Seattle, WA 98101

June 4, 2007

Reply to
Attn Of: ETPA-088

Ref: 05-012-AFS

Terry Nevius, Red River District Ranger
Red River Ranger District
P.O. Box 416
Elk City, ID 83525-0416

Dear Mr. Nevius:

The U.S. Environmental Protection Agency (EPA) has reviewed the final Environmental Impact Statement (EIS) for the proposed **Newsome Creek Watershed Rehabilitation** project (CEQ No. 20070166) on the Red River Ranger District of the Nez Perce National Forest in Idaho County, Idaho. Our review was conducted in accordance with our responsibilities under the National Environmental Policy Act (NEPA) and Section 309 of the Clean Air Act. Section 309 specifically directs EPA to review and comment in writing on the environmental impacts associated with all major federal actions, and on the adequacy of the NEPA document itself.

In our comments on the draft EIS in January 2006, EPA expressed environmental concerns with the project due to ongoing water quality problems and potential impacts of toxic substances from mining activities in the project area. We recommended that the final EIS include data demonstrating that water quality standards would be met and indication of whether mine tailings in the project area were benign.

EPA appreciates Forest Service (FS) responses to comments on the draft EIS. However, we continue to have concerns with the project due to potential mercury contamination that past mining practices may have left within the project site and which could pose a threat to human health and fish and aquatic biota. Because there are no specific mitigation measures for this contamination in the final EIS, we refer the FS to its earlier EIS for the *Resurrection Creek Stream and Riparian Restoration Project* on Chugach National Forest in Alaska for consideration of mitigation measures that can be used to reduce mercury contamination at Newsome Creek. The Record Of Decision for this project should include information about levels of mercury contamination in the project area and mitigation measures.

Thank you for the opportunity to review the final EIS for this project. If you would like to discuss our comments, please contact Theo Mbabaliye at (206) 553-6322 or myself at (206) 553-1601.

Sincerely,

/s/

Christine B. Reichgott, Manager
NEPA Review Unit